

| U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE   |                                     |   |
|--|-------------------------------------|---|
| <b>RESPONSE TO MISSING REQUIREMENTS<br/>UNDER 35 USC 371</b> |                                     | Docket Number:<br><b>11847/46101</b>    |
| Application Number<br><b>10/583,950</b>                      | Filing Date<br><b>June 20, 2006</b> | Examiner<br><b>Not Yet Assigned</b>     |
| Title<br><b>VACCINE</b>                                      |                                     | Art Unit<br><b>Not Yet Assigned</b>     |
|  |                                     | Applicant(s)<br><b>KIESSLING et al.</b> |

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: August 22, 2007

Signature:

  
Theresa AE Doorfan

In response to the Notice of Missing Requirements, dated March 22, 2007, enclosed please find:

1. Executed Declaration and Power of Attorney;

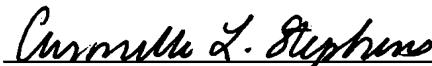
Applicant hereby requests a three-month extension of time for responding to this Notice. The extended period for response expires on August 22, 2007. The amount due with respect to the extension of time is calculated to be \$510.00 (small entity)

The Commissioner is hereby authorized to charge the following fees (small entity): 1) Three month extension of time - \$510.00; 2) Late Submission of Oath or Declaration - ~~\$120~~ \$405, 3) Additional Claim fees - ~~\$150.00~~; and ~~4) Recordation fee of \$40.00~~ to the deposit account of **Kenyon & Kenyon LLP**, deposit account no. **11-0600**. The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment.

Respectfully submitted,

Dated: August 22, 2007

By:

  
Carmella L. Stephens (Reg. No. 41,328)

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**CUSTOMER NO. 26646**

08/27/2007 GFREY1 00000079 110600 10583950  
01 FC:2617 65.00 DA  
02 FC:2615 75.00 DA  
03 FC:2253 510.00 DA



**UNITED STATES PATENT AND TRADEMARK OFFICE**

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|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/583,950                    | Rolf Kiessling        | 11847/46101      |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/EP04/14573                |                       |                  |
| I.A. FILING DATE              |                       | PRIORITY DATE    |
| 12/20/2004                    |                       | 12/20/2003       |
| <b>CONFIRMATION NO. 1553</b>  |                       |                  |
| <b>371 FORMALITIES LETTER</b> |                       |                  |
|                               |                       |                  |
| *OC000000023028703*           |                       |                  |

Date Mailed: 03/22/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/20/2006
- Copy of the International Search Report filed on 06/20/2006
- Information Disclosure Statements filed on 06/20/2006
- Request for Immediate Examination filed on 06/20/2006
- U.S. Basic National Fees filed on 06/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$150 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$280** for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 150
  - \$150 for 4 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J VIGIL

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Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/583,950                  | PCT/EP04/14573                | 11847/46101      |

FORM PCT/DO/EO/905 (371 Formalities Notice)